

EXHIBIT 25

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION MDL No. 2804
OPIATE LITIGATION Case No. 17-md-2804

This document relates to: Judge Dan
 Aaron Polster

The County of Cuyahoga v. Purdue
Pharma, L.P., et al.
Case No. 17-OP-45005
City of Cleveland, Ohio vs. Purdue
Pharma, L.P., et al.
Case No. 18-OP-45132
The County of Summit, Ohio,
et al. v. Purdue Pharma, L.P.,
et al.
Case No. 18-OP-45090

Videotaped Deposition of Joseph Rannazzisi
Washington, D.C.
April 26, 2019
8:37 a.m.

Reported by: Bonnie L. Russo
Job No. 3301876

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1 understand the scope of my question.
 2 Does that make sense?
 3 A. Yes, sir.
 4 Q. Now is there anything that would
 5 prevent you from testifying completely and
 6 truthfully today?
 7 A. No, sir.
 8 MR. EPPICH: Let me mark as Exhibit
 9 1.
 10 (Deposition Exhibit 1 was marked for
 11 identification.)
 12 MR. EPPICH: Exhibit 1 is the second
 13 amended notice of videotaped deposition of
 14 Joseph Rannazzisi.
 15 MS. SINGER: Excuse me one second,
 16 Counsel. Do you have copies for the plaintiffs
 17 too?
 18 BY MR. EPPICH:
 19 Q. Sir, have you seen Exhibit No. 1
 20 before?
 21 A. No, sir.
 22 Q. You haven't seen it?
 23 You didn't review it in preparation
 24 for today's deposition?
 25 A. No.

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1 Q. If I you could turn with me to the
 2 letter that is Exhibit A, four or five pages
 3 in. Now, this letter is prepared by the U.S.
 4 Department of Justice.
 5 Have you seen this letter before?
 6 A. Yes, I have.
 7 Q. And you understand Exhibit A to be
 8 a -- a letter from the DEA authorizing your
 9 testimony on certain subjects today?
 10 A. Yes.
 11 Q. You were the head of DEA's Office of
 12 Diversion Control from 2005 to 2015; is that
 13 right?
 14 A. Approximately July of 2005 to '15,
 15 yes.
 16 Q. July of 2005 to what month in 2015?
 17 A. October. October 31st, 2015.
 18 Q. Halloween. One of my favorite days.
 19 A. Uh-huh.
 20 Q. Now, between 2005 and 2015, you were
 21 the senior-most law enforcement official at the
 22 DEA responsible for pharmaceutical diversion?
 23 A. Yes, sir.
 24 Q. Was -- was there an opioid crisis
 25 the entire time you were the head of the Office

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1 of Diversion Control?
 2 MR. BENNETT: Objection. Calls for
 3 speculation.
 4 You can answer.
 5 MS. SINGER: Excuse me one second.
 6 Can we ask the people on the phone
 7 to mute, please.
 8 MR. UTTER: Go ahead. You can
 9 answer.
 10 THE WITNESS: Yes. Yes. There was
 11 an opioid crisis during that time period.
 12 BY MR. EPPICH:
 13 Q. And was the opioid crisis getting
 14 worse every year you were the head of the
 15 Office of Diversion Control?
 16 MR. BENNETT: Same objection.
 17 THE WITNESS: Overdoses -- overdose
 18 deaths increased, yes.
 19 BY MR. EPPICH:
 20 Q. As head of the Office of Diversion
 21 Control, you were responsible for oversight and
 22 control of all regulatory compliance,
 23 inspections, and civil and criminal
 24 investigations of approximately 1.6 million DEA
 25 registrants; isn't that correct?

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1 A. Yes.
 2 Q. And you provided leadership to a
 3 team of 300 personnel?
 4 A. Direct -- direct report,
 5 approximately -- you know, in headquarters,
 6 approximately 300, yes.
 7 Q. And you controlled and operating
 8 budget of approximately \$350 million, correct?
 9 A. Yes.
 10 Q. Now, Mr. Rannazzisi, every entity
 11 that is involved with getting opioids to
 12 patients has to be registered with the DEA,
 13 correct?
 14 A. Could you repeat that question.
 15 Q. Every entity that is involved with
 16 getting opioids to patients has to be
 17 registered with the DEA.
 18 A. No. That's not correct.
 19 Q. Which entities do not have to be
 20 registered?
 21 A. Nurses, pharmacists. They have
 22 no -- they're not registered.
 23 Q. But manufacturers have to be
 24 registered?
 25 A. Yes.

<p style="text-align: right;">Page 22</p> <p>1 Q. Distributors have to be registered?</p> <p>2 A. Yes.</p> <p>3 Q. Pharmacies have to be registered?</p> <p>4 A. Yes.</p> <p>5 Q. And doctors have to be registered?</p> <p>6 A. Yes.</p> <p>7 Q. Now, none of those individuals or</p> <p>8 entities can lawfully handle opioids without</p> <p>9 DEA registration.</p> <p>10 A. Yes.</p> <p>11 Q. Now, DEA can, when it determines it</p> <p>12 is legally appropriate, suspend or revoke a DEA</p> <p>13 registration.</p> <p>14 A. Yes.</p> <p>15 Q. For example, that's a way the DEA</p> <p>16 has to cut off a diverting registrant?</p> <p>17 A. Repeat that question again, please.</p> <p>18 Q. DEA's authority to suspend or revoke</p> <p>19 a DEA registration is a way for DEA to cut off</p> <p>20 a diverting registrant; isn't that correct?</p> <p>21 A. That authority, we could stop a</p> <p>22 registrant from conducting transactions with</p> <p>23 controlled substances, yes.</p> <p>24 Q. Yes.</p> <p>25 You could cut them off, correct?</p>	<p style="text-align: right;">Page 24</p> <p>1 data.</p> <p>2 BY MR. EPPICH:</p> <p>3 Q. And using ARCOS, DEA monitors the</p> <p>4 flow of DEA-controlled substances from their</p> <p>5 point of manufacture through commercial</p> <p>6 distribution channels to point of sale or</p> <p>7 distribution to the dispensing retail level?</p> <p>8 MS. SINGER: Objection. Foundation.</p> <p>9 MR. BENNETT: Objection. Vague.</p> <p>10 THE WITNESS: DEA can use that</p> <p>11 system to monitor transactions downstream.</p> <p>12 BY MR. EPPICH:</p> <p>13 Q. And that's downstream from the</p> <p>14 manufacturers all the way to the retail level,</p> <p>15 correct?</p> <p>16 A. Yes. I believe so.</p> <p>17 SPECIAL MASTER COHEN: Just a</p> <p>18 minute, please.</p> <p>19 We're still hearing folks on the</p> <p>20 phone. If you are on the phone, please mute</p> <p>21 yourself.</p> <p>22 BY MR. EPPICH:</p> <p>23 Q. So, Mr. Rannazzisi, using ARCOS, DEA</p> <p>24 can see the number of opioids sold by</p> <p>25 manufacturers to distributors?</p>
<p style="text-align: right;">Page 23</p> <p>1 A. Yeah. Stopping transactions, yes.</p> <p>2 Cutting them off.</p> <p>3 Q. In fact, it's -- it's DEA's</p> <p>4 responsibility to do its best to ensure that</p> <p>5 anyone who is registered to DEA or by DEA is</p> <p>6 acting appropriately.</p> <p>7 MS. SINGER: Objection. Vague.</p> <p>8 MR. BENNETT: Join that objection.</p> <p>9 THE WITNESS: It's DEA's</p> <p>10 responsibility to ensure that the registrant</p> <p>11 population is complying with the code of</p> <p>12 federal regulations 21 C.F.R. and also 21 USC,</p> <p>13 United States code.</p> <p>14 BY MR. EPPICH:</p> <p>15 Q. You're familiar with the ARCOS</p> <p>16 database?</p> <p>17 A. Yes, I am.</p> <p>18 Q. Manufacturers and distributors are</p> <p>19 required to report data to ARCOS on every</p> <p>20 single controlled substance transaction?</p> <p>21 A. Yes.</p> <p>22 Q. DEA can then make use of that data,</p> <p>23 can't it?</p> <p>24 MR. BENNETT: Objection. Vague.</p> <p>25 THE WITNESS: DEA does use that</p>	<p style="text-align: right;">Page 25</p> <p>1 A. Yes.</p> <p>2 Q. And using ARCOS, DEA can see the</p> <p>3 number of opioids distributed by distributors</p> <p>4 to pharmacies, hospitals and doctors?</p> <p>5 A. Yes.</p> <p>6 Q. Registrants did not have access to</p> <p>7 ARCOS data during your -- the time you led the</p> <p>8 Office of Diversion Control, correct?</p> <p>9 A. They had access to their own data</p> <p>10 that they submitted to ARCOS. But no, not</p> <p>11 other.</p> <p>12 Q. So registered --</p> <p>13 A. From the ARCOS.</p> <p>14 Q. Pardon me.</p> <p>15 Registrants had no access to the</p> <p>16 ARCOS database, correct?</p> <p>17 A. Except for their own entries, yes.</p> <p>18 Q. Their own entries that's they</p> <p>19 submitted?</p> <p>20 A. Yes, that they submitted.</p> <p>21 Q. But they couldn't access those</p> <p>22 entries through the ARCOS database, could they?</p> <p>23 A. I'm not sure about that.</p> <p>24 Q. There was no portal that you were</p> <p>25 aware of that a registrant could log into to</p>

<p style="text-align: right;">Page 42</p> <p>1 testimony.</p> <p>2 MR. UTTER: Same objection.</p> <p>3 Go ahead.</p> <p>4 THE WITNESS: It was years later</p> <p>5 before we heard that, that they were confused.</p> <p>6 Years later.</p> <p>7 BY MR. EPPICH:</p> <p>8 Q. When did DEA hear that the</p> <p>9 distributors were confused?</p> <p>10 A. Had to be sometime around 2000 --</p> <p>11 the end of 2010 or early 2011.</p> <p>12 Q. And in response to that knowledge,</p> <p>13 did you provide guidance to distributors?</p> <p>14 A. If I remember correctly, there was</p> <p>15 meetings with individual distributors and also</p> <p>16 with HDMA.</p> <p>17 Q. But isn't it true that you</p> <p>18 affirmatively stated that it was DEA's policy</p> <p>19 not to approve any suspicious order monitoring</p> <p>20 programs?</p> <p>21 A. That was the position of the agency.</p> <p>22 And yes, that was stated in at least two of my</p> <p>23 letters to industry.</p> <p>24 Q. And it was DEA's policy not to tell</p> <p>25 registrants that an order is or is not</p>	<p style="text-align: right;">Page 44</p> <p>1 Q. During your time as the head of</p> <p>2 Office of Diversion Control, it was DEA's</p> <p>3 policy not to tell a registrant if they should</p> <p>4 stop sales to a customer, correct?</p> <p>5 MS. SINGER: Same objection.</p> <p>6 THE WITNESS: There were due process</p> <p>7 concerns. And after consultation with</p> <p>8 counsel's office, we decided that that was not</p> <p>9 appropriate because of the due process</p> <p>10 concerns.</p> <p>11 BY MR. EPPICH:</p> <p>12 Q. So if a distributor came to you in</p> <p>13 2007 or '8 or '9 or '10 and said, "We -- we</p> <p>14 can't tell if this order is legitimate or</p> <p>15 suspicious," DEA would refuse to answer?</p> <p>16 MR. BENNETT: Objection. Compound.</p> <p>17 MR. UTTER: Object to the incomplete</p> <p>18 hypothetical.</p> <p>19 You can go ahead and answer if you</p> <p>20 understand all the elements of the</p> <p>21 hypothetical.</p> <p>22 THE WITNESS: Yeah. I'm trying to.</p> <p>23 Could you repeat that question,</p> <p>24 please.</p> <p>25 BY MR. EPPICH:</p>
<p style="text-align: right;">Page 43</p> <p>1 suspicious, correct?</p> <p>2 A. Well, that's a business decision</p> <p>3 that only the -- the distributor could make.</p> <p>4 They're the only ones who know their</p> <p>5 customer. And they know what their customers</p> <p>6 are doing. And they know the -- the population</p> <p>7 around the customer's business. They know what</p> <p>8 is in the area that could warrant an increase</p> <p>9 or not.</p> <p>10 So DEA couldn't make that decision.</p> <p>11 It had to come as a business decision from the</p> <p>12 distributor.</p> <p>13 Q. So it was DEA's policy not to tell</p> <p>14 registrants that an order is suspicious?</p> <p>15 MS. SINGER: Objection.</p> <p>16 MR. BENNETT: Objection. Asked and</p> <p>17 answered.</p> <p>18 MS. SINGER: Objection. Scope.</p> <p>19 Calls for this witness's opinion on DEA policy.</p> <p>20 MR. UTTER: Go ahead.</p> <p>21 THE WITNESS: It was a business</p> <p>22 decision that would be made by the distributor</p> <p>23 whether an order is suspicious. And DEA made</p> <p>24 that very clear to the distributors.</p> <p>25 BY MR. EPPICH:</p>	<p style="text-align: right;">Page 45</p> <p>1 Q. Sure.</p> <p>2 If a distributor came to you while</p> <p>3 you were the head of the Office of Diversion</p> <p>4 Control and said, "We cannot tell if this order</p> <p>5 is legitimate or suspicious, the DEA would</p> <p>6 refuse to answer the distributor's question"?</p> <p>7 MR. UTTER: Same objection.</p> <p>8 Go ahead.</p> <p>9 MS. SINGER: Objection.</p> <p>10 THE WITNESS: Yeah.</p> <p>11 MS. SINGER: Calls for speculation.</p> <p>12 THE WITNESS: I mean I'd have to</p> <p>13 have more information than that.</p> <p>14 BY MR. EPPICH:</p> <p>15 Q. But as a general policy --</p> <p>16 A. I can't answer.</p> <p>17 Q. -- it would be DEA's -- it would be</p> <p>18 DEA's response to refuse to answer?</p> <p>19 A. It's DEA's policy that they do not</p> <p>20 advise when to ship or when to file a</p> <p>21 suspicious orders. That's a business decision</p> <p>22 that, under the regulations, is maintained by</p> <p>23 the --</p> <p>24 Q. This was the --</p> <p>25 A. -- distributor.</p>

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VOLUME II
Videotaped Deposition of Joseph Rannazzisi
Washington, D.C.
May 15, 2019
8:43 a.m.

Reported by: Bonnie L. Russo
Job No. 3301884

1 hey, don't blame us, the DEA didn't -- it's the
2 DEA responsibility to design and operate the
3 system. Would that be true?

4 MR. EPPICH: Objection.

5 MS. MAINIGI: Form.

6 THE WITNESS: No, that is just
7 incorrect. It is very specific. The
8 regulation is specific.

9 BY MR. LANIER:

10 Q. Well, what if they say, oh, but the
11 DEA told us it is okay to do it this way?

12 MR. EPPICH: Objection. Form.

13 THE WITNESS: No. The DEA would not
14 tell them to do something outside of the
15 regulation.

16 BY MR. LANIER:

17 Q. And did you specifically warn them
18 of this, that the DEA does not approve or
19 otherwise endorse any specific system for
20 reporting suspicious orders?

21 MS. MAINIGI: Objection.

22 THE WITNESS: Yes.

23 BY MR. LANIER:

24 Q. All right. So much of this is the
25 same as the 2006 letter. I am just going to